

SIERRA NEVADA CONSERVANCY PUBLIC COMMENTS

From: Noble Elisa [ENoble@CFBF.com]

To: geninfo

RE: Comments on SNC Program and Grants Guidelines

Sent: Tue 4/17/2007 10:07 AM

Please find comments from the California Farm Bureau attached. Thank you.

Elisa Noble

Director, National Affairs & Research

Livestock, Public Lands, & Natural Resources

California Farm Bureau Federation

2300 River Plaza Dr.

Sacramento, CA 95833

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CALIFORNIA FARM BUREAU FEDERATION

NATIONAL AFFAIRS & RESEARCH DIVISION

2300 RIVER PLAZA DRIVE, SACRAMENTO, CA 95833-3293 • PHONE (916) 561-5610 • FAX (916) 561-5693

April 16, 2007

Sent Via E-mail: geninfo@sierranevada.ca.gov

Sierra Nevada Conservancy
11521 Blocker Drive, Ste. 205
Auburn, CA 95603

Re: Comments on Program Guidelines and Grants Guidelines

The California Farm Bureau Federation ("Farm Bureau") appreciates the opportunity to submit comments regarding the proposed Program Guidelines and Grants Guidelines for the Sierra Nevada Conservancy. Farm Bureau represents over 91,500 farm families, including many citizens of communities within the Sierra Nevada range.

Farm Bureau is a non-governmental, non-profit, voluntary membership corporation. Farm Bureau's purpose is to protect and promote agricultural interests throughout the State of California and to find solutions to the problems of the farm, the farm home and the rural community. Farm Bureau strives to protect and improve the ability of farmers and ranchers engaged in production agriculture to provide a reliable supply of food and fiber through responsible stewardship of California's resources.

Economic Sustainability of Communities in the Sierra Nevada Region

The economic sustainability of communities in the Sierra Nevada range is largely dependent on the management of natural resources, primarily farming, ranching, and timber harvesting. Since these counties are 50-90 percent owned by the government, the management of public lands is crucial to their viability. Specifically, grazing allotments and timber management on public lands greatly impact the local economy. Local ranches depend on grazing allotments for summer pasture, and local mills depend on public forests as part of their timber supply. The decline in timber sales from National Forest lands has closed mills and cut jobs across the Sierra Nevada region. Many livestock producers depend on public lands grazing, especially where there is not enough forage or private land available to support range livestock operations. For example, many range cattle operations would face closure without the supplemental summer feed that is provided by their grazing allotments.

Active management of working landscapes, on both private and public lands, is the backbone of Sierra Nevada communities. However, we recognize that there is also an increasing tourist demand for summer cabins and year-round recreation opportunities. There are likely some common goals between these land uses. For example, California

needs more reservoirs for water storage, and these reservoirs could also provide recreation opportunities and a resulting income stream to the communities where they are established.

(Applies to Program Areas 1,3,6,7)

Common Goal of Open Space

Amongst the varying opinions of how natural resources should be managed, there is an underlying consensus about the value of open space. Open space is vital to working landscapes, wildlife habitat, watershed health, air and water quality, forestry management, and farming and ranching.

The loss of public lands grazing would cause the base private ranches to go out of business. This will precipitate subdivision and development, which is certainly detrimental to the physical, cultural, archaeological, historical, and living resources of the area. This includes important resources such as watershed health, wildlife habitat, forest health, open space, historical buildings and settings, western heritage, and native American heritage, just to name a few.

The goal of protecting these cultural and historical resources can occur in conjunction with active management of natural resources. However, they should not impede practical progression of natural resource management.

(Applies to Program Areas 2,3,6,7)

Easements and Working Landscapes

We recognize that the SNC cannot purchase lands in fee title. However, we still have concerns regarding the SNC's ability to fund other organizations that may purchase land in fee title.

Over two-thirds of the Sierra Nevada region is publicly owned, and therefore removed from the county tax base and unavailable for economic development. The economic sustainability of the region will be best served by supporting the privately owned land that remains. Private lands can be supported through site improvements, restoration projects and incentive-based programs. This approach of adding value to private property is much more constructive than the alternative of land acquisitions.

Farm Bureau supports conservation easements that allow landowners to continue grazing or farming their land. The details of a conservation easement agreement must be scrutinized to determine if it will in fact "aid in the preservation of working landscapes." We encourage the SNC to only fund those easements that provide for continuing working landscapes.

The SNC should support a variety of conservation easement types. For example, it is important to understand the difference between conservation easements and the simple purchase of development rights. Selling a property's development rights can achieve the goal of keeping the ground in one undeveloped piece, without restricting farming management practices. We would suggest the SNC consider easement language such as that which is used in the Williamson Act.

The SNC should also provide for lease term easements, versus conservation easements in perpetuity. Lease term easements maintain working landscapes while allowing future generations some flexibility as to how to manage the land. Lease term easements are generally less expensive, and therefore a cost-effective approach that allows for the protection of more acreage. In addition, it keeps the land on the tax rolls and in agricultural production.

Easements can affect the value of property, and thus the property's contribution to the county tax base. A reassessment of property after a conservation easement can result in a lower value because of the loss of certain private property rights. Also, easements don't guarantee economic stability to the landowner.

Conservation easements are occasionally a good option for landowners, especially in areas of urban/rural interface where development pressure makes it difficult to keep the land in farming. While we caution landowners to consider the full implications of entering into easements in perpetuity, Farm Bureau recognizes that short or long-term easements can be a valuable option for some farmers and ranchers.

(Applies to Program Areas 3,4,5,6)

Multiple Use of Public Lands

Both U.S. Forest Service and BLM lands were established with a multiple-use function, part of which is the management of natural resources. While tourism and recreation are increasingly profitable uses of public lands, grazing allotments and timber sales are the foundation of local infrastructure and communities. In addition, sustainable management of these resources achieves many environmental goals, such as air and water quality.

Farm Bureau would encourage the SNC to play an intermediary role between these land management agencies and the Sierra Nevada communities. Also, land-use conflicts are increasing between grazing permittees and owners of summer cabin inholdings or recreation users. The SNC could be helpful in bridging this gap.

Farm Bureau consistently asks the federal land management agencies (Forest Service, BLM, NPS) to balance the multiple-use goals of public lands. The multiple-use goals of Forests are constantly challenged by public interests. For example, comments were submitted on the Stanislaus Forest claiming that cowbells were a nuisance to

recreational users. Cowbells are a trivial recreational impediment compared to the important purpose they serve. Cowbells are a key management tool, especially in sensitive areas where cattle must be moved frequently to achieve habitat and ecosystem objectives.

Timber Receipts Program Example

The Timber Receipts Program is an excellent example of how federal lands management is directly tied to the economic viability of forest communities. The National Forest System was formed in 1905 as 153 million acres of forestlands were set aside for public multiple-use. In 1908, Congress passed a bill that created a revenue sharing mechanism to offset for forest counties the effects of removing these lands from economic development. Since the government owned 65-90 percent of the land in these counties, the 1908 Act specified that 25% of all revenues generated from the multiple-use management of our National Forests would be shared with the counties to support public roads and public schools. This is what was known as the “timber receipts” program.

Today most counties have seen a decline of over 85% in actual revenues generated on our National Forests, largely as a result of the decline in all forms of timber harvesting caused by the Endangered Species Act and other environmental regulations. As a result, the Secure Rural Schools and Community Self-Determination Act of 2000 was enacted to supplement the funding to county roads and schools.

The viable long-term solution is to restore timber-harvesting levels. By restoring timber-harvesting levels, many people have the ability to make an honest living, as well as contribute to the original timber receipts system that is such a significant part of funding for their local roads and schools. Without timber receipts to make the revenue-sharing program viable, Congress must reauthorize the Secure Rural Schools Act or find another way to keep its promise to rural communities in national forests.

(Applies to Program Areas 3,4,5,6,7)

Wildfire Prevention

Each year California experiences more and larger catastrophic wildfires, largely a result of immense fuel loading in our national forests. For example, the Klamath National Forest has a standing inventory of 13.5 billion board feet of timber and grows an additional 654 million board feet each year, while only harvesting 15 million board feet per year. These harvesting levels are similar for other national forests across the state, where timber harvest doesn't match mortality, much less annual growth. This has created unhealthy forest densities that stress trees, making them more susceptible to pests and diseases and adding to an already dangerously high fuel load. Catastrophic fires cost taxpayers billions of dollars each year, in addition to threatening communities and public safety.

Fuels reduction is needed on Forest Service land to prevent wildfires. In addition, fuels reduction will also support the local economy by sustaining infrastructure such as mills, electrical power generation, and biomass production.

As California becomes more aware of carbon emissions, we should also consider the immense amount of carbon released from dead and dying trees as well as from large-scale forest fires. Conversely, we have the ability to store carbon indefinitely by harvesting timber into wood products.

(Applies to Program Areas 3,4,5,6,7)

Coordination with Existing Programs and Suggested SNC Staff Positions

We encourage the SNC to coordinate with existing organizations and projects that have similar goals, such as Resource Conservation Districts (RCDs), NRCS programs, Resource Advisory Councils (RACs), FireSafe Councils, and others. This will be the most economically efficient way to fund meaningful projects. In many cases, other organizations have already done research to identify needs in the community, and have even completed planning of good projects that just need funding.

Farm Bureau encourages the Conservancy to hire a staff person with a background in range management and forestry. While we understand the SNC has received requests to hire a number of specialists, range and forestry are the natural resource industries providing an economic base to these communities.

(Applies to All Program Areas)

Cooperative Conservation

SNC should consider the increased national interest in the Cooperative Conservation approach. This approach is the most effective way to conserve our natural resources and the agricultural operations that depend on them. Federal land management agencies are discovering that prescriptive regulations don't actually achieve desired results on grazing allotments or timberlands. Cooperative Conservation includes voluntary environmental partnerships and a renewed focus on finding solutions through discussions amongst federal, state, and local stakeholders. Permittee coordination and consultation is key to successful grazing management on allotments. Similarly, consultation with professional foresters is important for the health of public forestland. The SNC is in a unique position to advance local projects based on a cooperative conservation approach.

(Applies to All Program Areas)

Project Examples/Suggestions

Farm Bureau would encourage SNC to support projects such as these:

- Project Example #1: Page 11 of the SNC Program Guidelines (February 14, 2007) suggests an example project of "support for forums to discuss public land

management issues and for public involvement.” Farm Bureau is in the process of re-establishing a Grazing Strategies Group, which would meet regularly to discuss management successes and challenges on National Forests and BLM land throughout the state. This would be a great partnership opportunity for SNC and public land users.

- Project Example #2: Grassbanking could be a tool in the northeastern part of the state, as part of juniper removal and sagebrush steppe restoration. Juniper removal could also aid in the successful establishment of a biomass plant in the region.

Thank you for the opportunity to submit comments. Please contact me with any questions you may have at 916-561-5610.

Kind Regards,

Elisa Noble

Elisa Noble

National Affairs and Research

From: brobinson@mchsi.com
To: geninfo
RE: Comments Regarding SNC Program Guidelines and Area Projects
Sent: Mon 4/16/2007 7:02 PM

SNC Staff,
Attach are comments relating to a series of projects relating to a common goal,
Restoration and protection of the Kern River rainbow trout.
Robert Robinson
MD-M RC&D
Upper Kern Watershed Coor.

*Mojave Desert-Mountain Resource Conservation and Development Council
Upper Kern Watershed Coordinator Grant Program*

April 16, 2007

Sierra Nevada Conservancy
11521 Blocker Drive, Ste. 205
Auburn, CA 95603

RE: Comments Regarding Program Guidelines, Area Projects

SNC Staff,
These comments address projects in the Southern Sierra Nevada's. The Upper Kern Basin Fishery Resources Enhancement Trust (2.5 million dollar Trust Fund) was established in 1996 by the Federal Energy Regulatory Commission (FERC) as part of the relicensing proceeding for Southern California Edison Company (SCE) Kern River No. 3 (KR3) Hydroelectric Project located on the upper Kern River near Kernville. Interest from the investment of these funds can be used for the following:

- Implementation of the upper Kern Basin Fisheries Management Plan¹,
- Restoration of the native Kern River rainbow trout, or
- Other enhancement of fisheries resources in the upper Kern River basin upstream from Lake Isabella in Tulare and Kern Counties, California.

Individuals, organizations, and agencies may apply for funds from the Trust Fund Interest Account to accomplish studies or measures meeting the objectives of the 1995 Upper Kern Basin Fishery Resources Enhancement Measures Implementation Memorandum of Understanding (MOU) approved February 14, 2006. Representatives of parties signatory to this MOU (CDFG, USFS, SCE, USFWS) form the trust committee that review and approve or disapprove each application for these funds and ensure proper expenditure and verify the effectiveness of each project.

The Trust Committee hold regular, public meetings in April and October of each year to consider applications for funding. The Trust Committee may, at its discretion, 1) accept a proposal for funding, 1) delay funding until funds are available, 3) reject a proposal, or 4) return the proposal to submitter for clarification and resubmission at a later date.

¹ Copies of the Upper Kern River Fisheries Management Plan are available from the Trust Fund Proposal Coordinator or CDFG Region 4 Headquarters, Fresno, CA

Studies and Measures to be funded by the Trust Fund need to meet one or more of the following criteria:

- (a) Improve the status of Kern River rainbow trout to avoid any need to list it as a sensitive, endangered, or threatened species at either the State or Federal level;
- (b) Contribute to meeting one or more of the objectives of the “Upper Kern Fisheries Management Plan” (Plan). Priorities for accomplishing these objectives will be determined by the Parties. The objectives include but are not limited to:
 - Hatchery development, maintenance, operation, and staffing specifically for the production of Kern River rainbow trout;
 - Kern River rainbow trout genetic stock determinations and development;
 - Habitat improvement for the Kern River rainbow trout;
 - Monitoring of Kern River rainbow trout and other native species populations and;
 - Monitoring of fish ladder closure impacts on pike minnow and trout populations;
- (c) Contribute to restoration or improvement of trout habitat in the upper Kern basin;
- (d) Contribute to the improvement of the quality of the upper Kern water including the attainment and maintenance of water quality regulatory standards such as fecal coliform levels; and
- (e) Other activities mutually approved by the Trust Committee.

Monies generated by the Trust fund are limited but do provide substantial by-annual non-governmental matching dollars to protect and restore the Kern River rainbow trout, one of the three golden trout species found only in the southern Sierra Nevada’s. Years of planting non-native trout in these streams and the river have hybridized much of the native population. This project to restore the Kern River rainbow trout as a native wild trout fishery is supported by all agencies

involved and the public trout sport fishing organizations. Members donate many hours to restoration and maintenance projects on the upper Kern watershed. In order for the SCE mitigation Trust Fund to reach its maximum potential, additional funds that can be expended on federal lands will need to be made available. Over 98% of the upper Kern River watershed is public land, USFS much of which is designated as wilderness. Categorical exclusions are available for certain types of restoration projects in these wilderness lands.

Sincerely,

Robert Robinson

MD-M RC&D, Upper Kern River Watershed Coordinator

Cc: Donna Thomas, President, MD-M RC&D

Carolyn Thomas, Project Coordinator, MD-M RC&D

From: Daniel_Strait@fws.gov

To: geninfo

RE: Sierra Nevada Conservancy Program Guidelines - COMMENTS

Sent: Mon 4/16/2007 4:35 PM

The Conservation Partnerships Program of the California/Nevada Operations Office of the US Fish and Wildlife Service has reviewed the February 14, 2007 Public Review Draft Program Guidelines and offers the following comments and recommendations to the list of Sierra Nevada Conservancy program areas:

1) Provide Increased Opportunities for Tourism and Recreation

We suggest the following be added as an additional illustrative example or project type: development and promotion of hunting and fishing;

2) Protect, Conserve and Restore the Region's Physical, Cultural, Archaeological, Historical and Living Resources

We suggest the illustrative example "Protecting and enhancing wildlife habitat;" be expanded to include fish and wildlife. We recommend that, throughout the Program and Grant guidelines, the documents be changed to read "fish and wildlife" wherever they refer only to wildlife or wildlife habitat.

Also, we recommend that for the list of tools the Conservancy can use to achieve desired outcomes in this program, that the following tool be added:

support for fish and wildlife habitat improvement projects;

3) Aid in the Preservation of Working Landscapes

We suggest the following be added as an example of a project that would balance interests of communities, resource development and other

opportunities:

efforts that address conflicting land-use issues involving working lands (e.g. farming/ranching and threatened and endangered species habitats);

4) Reduce the Risk of Natural Disasters, such as Wildfire

We suggest adding the following two project examples:

invasive plant management;
improving floodplain capacities and reducing floodplain risk;

5) Protect and Improve Water and Air Quality

We recommend adding the following project example to address air quality:

upland vegetation management and restoration;

6) Assist the Regional Economy through the Operation of the Conservancy's Program

We recommend adding the following project example:

formation of coalitions that work together to address conflicting land use and economic priorities;

7) Undertake Efforts to Enhance Public Use and Enjoyment of Lands Owned by the Public

We recommend adding the following illustrative example of projects:

restoration and improvement of habitats on adjacent private lands that enhance public use and enjoyment of fish and wildlife on public lands;

Under Project Evaluation, for D. Project Evaluation Criteria, we recommend that Federal Threatened and Endangered Species Recovery Plans, which typically include conservation measures and activities that contribute to species recovery, be listed as one of the types of plans that can be used as a criteria for evaluating and prioritizing projects.

This completes our recommendations at this time. Thank you for the opportunity to provide comment on the Sierra Nevada Conservancy's grant program and guidelines.

Daniel Strait
Grant Programs Coordinator
Conservation Partnerships Program
California/Nevada Operations Office
US Fish and Wildlife Service
2800 Cottage Way, W-2606
Sacramento, CA 95825
916-414-6456
916-414-6486 fax

From: Alpine Watershed Group [watershed@alpinecountyca.com]
To: geninfo
RE: Comments on the Sierra Nevada Conservancy Program and Grants Guidelines
Sent: Mon 4/16/2007 3:59 PM

Thank you for the opportunity to comment on your proposed Program and Grants Guidelines. I have attached my comments and am looking forward to working with your organization in the future. Any questions please call or email me,

Hannah Schembri
Alpine Watershed Group
Post Office Box 296
Markleeville, CA 96120
Phone (530) 694-2327
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watershed@alpinecountyca.com
http://www.alpinecountyca.gov/other_organizations/alpine_watershed_group



Alpine Watershed Group
Protecting the Headwaters of the California Alps

April 16, 2007

Sierra Nevada Conservancy
11521 Blocker Drive, Ste. 205
Auburn, Ca 95603

Re: Comments on the Sierra Nevada Conservancy Program and Grants Guidelines

1. Considering the mission and goals of the Conservancy, are the types of projects described in the Program Guidelines representative of needs in your community?

The Conservancy's mission and goals seem to be well rounded to include the needs of the community of Alpine County, especially the members of the Alpine Watershed Group. The Alpine Watershed Group's region encompasses all of Alpine County, California including the following headwater watersheds: the Upper Mokelumne, the Upper Stanislaus, the South Fork American River, the Upper Truckee, and the Upper Carson River Watersheds. There are many components within the seven program areas that can be integrated into current and future projects to protect and restore our Alpine County Watersheds.

2. The Conservancy is proposing to include a number of different methods, tools, and resources in its Program Guidelines to assist eligible partners throughout the Region. After reviewing these, are there other tools or activities that should be added to the guidelines?

In regards to the Alpine Watershed Group, the Strategic Opportunity Grants can provide much needed support with time sensitive opportunities for initial project planning and development, environmental review, appraisal services, and/or project implementation. The capacity building and grant administration skills offered will greatly benefit the Alpine Watershed Group, which is a small non-profit group with 501(c)(3) status. The assistance available for acquisition of property for restoration purposes can benefit current projects and allow for opportunities for future projects. The types of tools and activities, at this point seem to be quite general, however the technical assistance, research, monitoring, consulting and educational services are all areas that can benefit the Alpine Watershed Group. Other tools or activities that could possibly be added to the guidelines include:

1. GIS Support and Training,
 2. Water Quality Monitoring Support and Training. There is a need currently with our Citizen Water Quality Monitoring Program for new meters, thermometers, cuvettes for Turbidity Measurements, calibration solutions, and volunteer incentive programs.
 3. Field Investigation Support to identify areas in need of future restoration and help to identify sources of funding to help achieve restoration goals.
3. This section of the guidelines describes several criteria that will be used by the Conservancy to evaluate potential projects. After reviewing the guidelines, should we be including or considering different or additional criteria?

These guidelines seem very appropriate; the availability of Conservancy Staff for help with project proposals will be a valuable asset for the Alpine Watershed Group.

4. Pursuant to language in Proposition 84, these guidelines identify types of projects eligible for grant funding. After reviewing this section, do you have recommendations to clarify descriptions of eligible projects?

I don't have any recommendations on clarifying the descriptions of eligible projects for grant funding.

5. These guidelines describe two types of proposed grants:
 1. Competitive Grants – are grants awarded on an annual cycle, for acquisition and site improvement projects.

2. Strategic Opportunity Grants – are grants awarded on an ongoing basis, for program and planning projects.

After reviewing the proposed types of grants, does the process and evaluation criteria appear reasonable? Is there additional information that could assist you in completing the application process?

Upon reviewing the proposed types of grants, the process and evaluation criteria appear to be reasonable. One component included in Appendix D for acquisition projects requires a submittal of a copy of real estate appraisal – can acquisition projects apply without an appraisal? It can be challenging to secure funding for an appraisal of property as a non profit organization.

6. Per statute, the Conservancy is required to make every effort to ensure that, over time, Conservancy funding and other efforts are spread equitably across each of the various Sub-Regions and among the State goal areas, with adequate allowance for the variability of costs associated with individual regions and types of projects.

It is anticipated that approximately \$17 million from Proposition 84 will be allocated annually for 3 years beginning in 2007-08. For Fiscal Year 2007-08, the funds will be allocated as follows:

- Approximately \$9 million will be allocated through competitive grants across the SNC region to meet the purposes of the SNC:
- Approximately \$6 million will be allocated as Strategic Opportunity Grants (SOG's) to eligible applicants to address top priority needs across the six Sub-Regions (\$1 million will be allocated for each sub-region).
- Approximately \$2 million in SOG's will be awarded for Projects that have Region-wide significance.

Given the Conservancy's requirement to distribute resources throughout the Region, do you feel the formula described above is reasonable?

The requirement for the Conservancy to distribute the resources throughout the Region is desirable, and the formula described above seems very fair and reasonable. Clarification on the types of Projects that would have Region-wide significance would be helpful.

Specific Projects in Alpine County that are believed to be eligible for a Conservancy grant:

Project Name: Markleeville Creek Guard Station Restoration Project

Description:

Currently the US Forest Service has Guard Station Facilities located in the floodplain of Markleeville Creek. Historical and recent flooding has impacted the facilities and also

causes possible negative impacts to the creek. In the 1930's floodwalls were created to protect the facilities, which consequently straightened and confined the stream channel. The floodwall constricts the creek, causing increased velocities and creates a gun barrel effect downstream, which continues to threaten an access road and sanitary sewer pipeline of the Markleeville Public Utility District at a meander just downstream of the Guard Station. The US Forest Service has agreed to relocate the facilities to a nearby location at Turtle Rock Park and has signed a MOU with Alpine County and BLM highlighting that once the relocation is complete, Alpine County will acquire the property at fair market value and will use the facilities as a county park.

The County and the Alpine Watershed Group wish to restore the streambed configuration to more closely resemble its natural state which will improve geomorphic function, restore the floodplain, and prevent further property damage as a result of flooding. The restoration design plans are currently being drafted by a consultant through a grant provided by the Department of Water Resources, Urban Streams Restoration Program Agreement P40-11. This grant has provided \$128,987.00 in funding for this restoration project design, the next step is to acquire the property and implement the restoration design plans, which includes CEQA and NEPA compliance.

Location: Downtown Markleeville, Alpine County California

Estimated Project Cost: Approx. \$1 million dollars

Conservancy Program Areas that may be met by implementing this project:

- Provide increased opportunities for tourism and recreation
- Protect, conserve, and restore the region's physical, cultural, archaeological, historical and living resources.
- Reduce the risk of natural disasters such as **flooding impacts**.
- Protect and improve water and air quality.
- Undertake efforts to enhance public use and enjoyment of lands owned by the public.

Project Name: Upper Carson Watershed Plan

Description:

In 2004 an Upper Carson River Watershed Stream Corridor Condition Assessment was conducted for the Alpine Watershed Group and the Sierra Nevada Alliance by four consultants. This assessment lays out the framework and identifies areas in need of restoration activities, however now a plan is needed to address specific areas of concern and to target funding sources to implement projects.

Location: Upper Carson Watershed

Estimated Project Cost: Approx. \$250,000

Conservancy Program Areas that may be met by implementing this project:

- Protect, conserve, and restore the region's physical, cultural, archaeological, historical, and living resources.

- Aid in preservation of working landscapes
- Protect and improve water and air quality

The Alpine Watershed Group has interests in assessing the past land use activities and evaluating the current conditions and functions of the watersheds. The overall goal is to improve watershed management and health as well as water quality through the use of partnerships throughout the associated watersheds and to assess and deal with identified watershed scale issues. The mission of the Alpine Watershed Group is to preserve and enhance the natural system functions of Alpine County's watersheds for future generations. The group works by inspiring participation to collaborate, educate, and proactively implement projects that benefit and steward the county's watersheds. If you have any questions feel free to contact Hannah Schembri, the Alpine Watershed Coordinator at (530)-694-2327.

Sincerely,
Hannah Schembri
Alpine Watershed Coordinator
Alpine Watershed Group
P. O. Box 296
Markleeville, Ca 96120
530-694-2327
watershed@alpinecountyca.com

From: Christopher Schmidt [CRSchmid@placer.ca.gov]

To: geninfo

RE: SNCGP Comments

Sent: Mon 4/16/2007 4:04 PM

Placer County offers the following brief comments on the Draft Sierra Nevada Conservancy Grant Program Guidelines:

With an award cap of \$1 million, we are pleased that the program is funding easements. Fee-title purchases are very expensive, particularly in the development-threatened foothills region of Placer County.

The ranking criteria seems to be weighted towards projects that have a stream restoration, improved water quality and/or recreational component. The 20 points available in criteria No. 2, Land and Water Benefits, appears to be geared towards "Improvement Projects" on properties with direct creek or stream access. A conservation easement or fee-title purchase to protect open space and habitat values is not going to score well if you only argue that you are preventing development or conversion of land. Oftentimes an 'improvement' component is added on to a grant application only to score points on a grant application. Many times these costly improvement projects aren't highly effective or even necessary. Having two sets of

points, one for conservation-only purchases, another for habitat improvement and recreational access might be a fairer way to award grants.

Since properties cannot be purchased prior to a grant agreement being signed, the Conservancy should look into having frequent grant cycles in order to speed up the application/review/approval process. Many sellers can not, or will not, wait a year or more for a deal to come together. It is a struggle to find willing-sellers, and finding patient willing-sellers is even more difficult.

Placer County appreciates the opportunity to comment on the guidelines and looks forward to working with the Conservancy in its efforts.

Christopher Schmidt
Senior Planner
Placer Co. Planning Department
3091 County Center Drive
Auburn, CA 95603
530-745-3076

From: arlene grider [agindep@cebridge.net]
To: geninfo
RE: SNC Workshop comments 4-07
Sent: Mon 4/16/2007 3:52 PM

Attached are comments, thank you for the opportunity
Arlene Grider, Independence

Sierra Nevada Conservancy
11521 Blocker Drive, Ste. 205
Auburn, CA 95603

Comments to Sierra Nevada Conservancy
Program and Grants Guidelines

Submitted by:
Arlene Grider
P O Box 435
Independence, CA 93526
760-878-2326
agindep@cebridge.net

Thank you for bringing the Workshop to Independence. Your door to door service is especially appreciated by the community. The possibility of available grant funding to

restore the area's economic stability and preserve its heritage for visitors and residents is a welcome idea.

The Greater Independence Area has been under the influence of many government agencies and organizations that make separate decisions for us without consideration of the long range cumulative negative impact to the area's sustainability and economy. Businesses and residents of the area see the Sierra Nevada Conservancy as a possible means to preserve, restore and make viable the heritage and economy of the area.

Below are comments to the Program and Grant Guidelines.

PROGRAM GUIDELINES:

RANGE OF PROJECTS

1. Considering the mission and goals of the Conservancy, are the types of projects described in the Program Guidelines representative of needs in your community?

The projects related to tourism, public access, preservation of cultural resources and historic buildings including Native American, working landscapes, technical assistance, sustainable economic development, and identifying economic impacts on of projects not included above. The projects noted will provide for preservation of the cultural resources and historic building in the area.

The following projects are not needed within the area. Projects related to acquiring land, either agency or private, for the purpose of protecting and enhancing open space and easements on private or agency lands.

Currently the area has legislation to provide wilderness area from the crest of the Inyo's (SNC's east boundary) on federal land to the boundary of the Los Angeles Department of Water and Power (DWP). Previous attempts to establish a development easement on DWP did not occur, however, there remain many organizations (most from out of the area with large memberships) working to establish such an easement. This would leave Highway 395 and the small communities in the valley the only areas not restricted. Currently the community of Independence is land-locked by DWP land and occasional land releases have been made for expansion of agency facilities and still pending is an auction of a small acreage of land.

Any overlay of a conservation easement on DWP land will have a negative impact on any future expansion of the one mile square town of Independence.

We are looking forward to completion of SNC's "set of performance measures and indices of environmental, economic and social well being" to evaluate the effect of the Program Guidelines.

AVAILABLE TOOLS, METHODS, AND RESOURCES

2. The conservancy is proposing to include a number of different methods, tools and resources in its Program Guidelines to assist eligible partners throughout the Region. After reviewing these, are there other tools or activities that should be added to the guidelines?

The tools seem more than adequate. However, the provision of technical assistance to support programs and project development and implementation is a must if any grant funding is to be available for small communities within the East Sierra Sub region.

Any land ownership by the conservancy or grant funded by the conservancy should not be for the purpose to limit use, but to keep its historic use.

3. PROJECT EVALUATION

Adequacy of Design - It appears the design is to be completed at the time of evaluation and prioritizing of projects. This is a hardship for small communities with a county lacking in financial resources and staff.

4. ELIGIBLE PROJECTS

The list appears complete for the requirements of Proposition 84.

It appears the CEQA documents must be completed by the applicant and overhead and staff are not costs of the Strategic Opportunity Grants. This will not allow small counties to obtain the grants. This provision should not be "one size fits all" if the small communities or counties are to be eligible for the grants. The goal of "Recognizing and addressing communities facing environmental and economic burdens" will be reached by providing some leeway for stressed areas.

Specific Projects in the Community of Independence

1. The Independence town site contains at least 14 buildings (from 1890 to 1920) which are eligible for National and State Historic Registry. The buildings are in great need of restoration and/or prevention of loss. Cost: Unknown

Program areas: increased tourism and recreation opportunities; protect regions physical and historic resources.

2. Development of a trail along the newly re-watered Owens River, east of Independence. Cost is unknown.

Program areas: Increased opportunities for tourism and recreation; protect region's physical resources.

3. Collaborated cultural projects that extend through the three county sub-region. Cost is unknown.

Program areas: Increased opportunities for tourism and recreation, protect physical, historic, and cultural resources.

Thank you for the opportunity to comment.
Arlene Grider

From: Cliff Harvey [cliff@littlehotspring.com]
To: geninfo
RE: comments on program and grant guidelines
Sent: Mon 4/16/2007 1:40 PM

Thank you for this opportunity to comment on the Sierra Nevada Conservancy's programs. In general, the program guidelines and grant administration guidelines seem to be reasonable, and should serve the region well. The following are some ideas that come to me based on my experience with watershed management issues in the northern end of the region.

Comments Regarding Program Guidelines:

I will not reiterate in detail the many topics that we all are concerned with. But, for the record, SNC should try to:

- * Keep county tax bases up when easements are granted
- * Find funding strategies for long-term, big project CEQA/NEPA, engineering and design costs. We are doomed to miss big opportunities as long as we are shackled to 3 year grant funding cycles.
- * Find strategies to expand the role of CCC and similar programs. Vast areas of the Sierra Nevada region are not served by the CCC.
- * Find strategies to expand educational opportunities of all sorts in the region, especially the currently underserved communities.

Other comments:

1. Local Cooperation and Consultation.

The need for coordination of the SNC's work with that of many other agencies and entities is recognized in the Program Guidelines. This coordination will, of necessity, occur in many different forms. For example, the Guidelines state (p. 13, para. 2) that the SNC "...will cooperate with and consult with the city or county where a grant is proposed..."

Presumably this means that someone will be going to each county board of supervisors, or local town equivalents, to inform them of pending proposals. Some more specificity

in how this consultation is to occur is needed. I would recommend that SNC begin building, and releasing to the public, a communication chart or plan.

With the great number of potential participating persons and entities, it is certain that most of us will not be on top of all the potential interactions and overlaps. A big list of everybody that the SNC is talking to or working with would be helpful.

This outline of communication channels -- which might take the form of a big flow chart that changes routinely, as needed -- would serve at least three functions: It would give guidance to SNC staff on which officers, agencies or entities are the appropriate contacts for the various types of program activities that might be funded through SNC, and help ensure that interested parties are not inadvertently omitted from the conversation. It would also help potential stakeholder/participants in coordinating their work with SNC and other organizations. Finally, it would help ensure that the public would have a more transparent window into the SNC's dealings.

2. Sub-Regional Priorities.

Section III, Parts B & C of the Program Guidelines (p. 16) state that the SNC will identify Sub-Regional and Regional priorities. It is also stated that the Board will determine the appropriate manner to address priorities. But by what process are these priorities to be identified, and who is to do the identifying?

The SNC's broad range of program areas will offer an opportunity to cross many interdisciplinary, administrative and economic boundaries in assessing and prioritizing work to be done, and in finding creative solutions to problems. That's a good thing. As this process unfolds, the SNC should make every effort to ensure that other entities' existing priority lists are considered and incorporated into the SNC's program priorities.

This need for consideration of existing prioritization efforts becomes imperative when priorities are in place as a result of legal or regulatory mandates from various state and Federal directions. We have plenty of conflicting guidelines out there. SNC should take care that any new priority lists do not add to the confusion.

3. Grant Application Processes.

All of us who may be charged with filing grant applications to SNC hope that you take the time to talk to us a bit about the nuts and bolts of the application process before the actual application period begins. Ask those who have been through various application processes with various agencies about what has worked and what hasn't.

A few things that this weary applicant can think of:

- * Put the narrative elements of an application in a conventional word processing program such as MS Word. Don't put it in a spread sheet.

* Put the budget charts in a conventional spreadsheet program such as Excel. Don't put it in a table in a word processing document.

* If you insist on using PDF forms, try to use a version that can be edited, saved, and copied by the applicant without the purchase of a \$400 software package from Adobe. Consistency and uniformity of the various applications in appearance and format is indeed needed, but I fail to see why the state should mandate that I must buy Adobe software in order to complete and submit a state form to a state agency.

* Why do you need a PDF form anyway? Do you really think we applicants are going to change the words and try to sneak something by you?

* Use of existing state on-line application procedures (such as FAAST), would not be a bad thing.

4. Land Tenure and Project Maintenance.

At some point, a policy on types and specifications of cooperating agreements, easement contracts, etc. will need to be developed and approved. If you get into the routine of doing case-by-case, project-by-project agreements with not base policy in place, it could lead to an appearance of arbitrary or unfair dealings.

Also, what are to be the out-year monitoring requirements for ensuring that agreements concerning easements, restoration projects or other programs are honored? Who is doing the monitoring? Who is responsible if problems come up -- the landowner or the contractor or the entity that sponsored the grant?

Comments Regarding Prop. 84 Grant Guidelines:

1. Expect to be buried with long lists of small projects from every RCD and watershed group in the region. One set of proposals that I am working on has at least eight small projects for one RCD. If you can find a way to provide for programmatic bundling of these small projects into single applications and grant contracts, you will save us all a lot of work and admin costs.

2. On p. 6 of the Grant Guidelines under eligible costs, it is stated that: "Only direct costs specified in the Grant Agreement will be eligible for funding... "overhead" costs ... are not eligible." Does this mean no overhead funding is to be allowed under this grant? If so, you have eliminated just about every R.C.D. and small watershed group from competition -- or at least made it a lot harder. For that matter, you just eliminated all the tribal organizations, too, because they always want overhead and lots of it.

That pretty much leaves existing local, state and federal agencies, who often do not have the staff with the spare time to apply for, administer and implement new grants -- especially when you consider the reporting and accounting requirements that typically come with state grants.

3. Is this to be a one-step proposal process? I count at least 20 pages of stuff for the competitive grant proposal package that needs to get compiled by someone under some body's budget. Are all those little \$50,000 jobs going to be jumping through the same hoops as the million dollar projects? Might it be more expedient to request summary pre-proposals to weed out the ones that don't make the first cut?

4. What page size or electronic formats are to be accepted for the site plans requested in the proposal package? Some little jobs might fit on one page of copy paper. But some big ones might need a full set of big charts. By what criteria do you propose to compare these apples and oranges? Will not-to-scale schematics do for the purpose of proposal presentation? Are you going to need a stamped engineer's or surveyor's chart, and if so, who can afford that up front? Flexibility is good, but some guidance on minimum standards here would put all on the same playing field.

Thank you for your consideration of these comments.

Sincerely:

Cliff Harvey

Interested Citizen, resident of the North Sierra Sub-Region,
and Watershed Management Consultant

1 Little Hot Spring Road

McArthur, CA 96056

From: pgiacomini@citlink.net

To: geninfo

RE: Comments on Program Guidelines

Sent: Sun 4/15/2007 8:32 AM

Hello All --

Thanks so much for coming to Burney at the end of the "road show" to educate us about the Conservancy and give us an opportunity to understand the program, grant opportunities and to make comment. I have just a few additions that I think would greatly help the sustainability of local communities:

Number 1, Range of Projects:

Under the Group "Aid in the preservation of working landscapes"

- support development for sales of local products from working landscapes
- support research and development of infrastructure needed to process local products

Under the Group "Reduce risk of natural disasters, such as wildfire"

- coordinate and facilitate work with federal partners to increase fuels reduction activities (beyond the Quincy Library Group cutting circles)
- provide support for rural community fire protection and emergency services

This doesn't have to be in public comments this is just as a side note to add a bit of clarification for the need to support research and development of infrastructure above ... one project could be building a local slaughter and processing plant for beef, goats, lamb and hogs.

The biggest challenge to keeping local, sustainable ranches and farms is getting product processed at a federally inspected facility that will allow for sales to restaurants. We currently haul our beef every other week to Petaluma in order to get it processed where they then deliver it to San Francisco for us. That Petaluma plant is going out of business in a few years ... so that is one component. The next is having a federally inspected "sub-processor" that can break the carcasses into subprimals and distribute to restaurants and markets.

There are many other local processing opportunities too horseradish is currently grown locally, but they have to take it to Oregon for processing then bring it back down here, just as another example.

It was great to see you and thanks again for coming to Burney!

Pam Giacomini

530-335-7016

Hat Creek Grown

From: Patrick Pontes [patrickgpontes@yahoo.com]

To: geninfo

RE: comments on your draft Program Guidelines

Sent: Sat 4/14/2007 8:36 AM

Attached are my comments on your Program Guidelines. I hope they are helpful in developing your program.... Patrick

April 10, 2007

Sierra Nevada Conservancy

Program Guidelines

Comments on February 14, 2007 Draft Document

Thank you for the opportunity to comment on the Sierra Nevada Conservancy Program Guidelines. Comments are listed below by page number:

Page 4; In the introduction section, it would be helpful to add a sentence identifying the SNC area of influence. It is defined on page 5, but a short sentence here would help the reader understand the general area of coverage.

Program Goals- How will you educate Californian's on benefits from the Sierra Nevada's? Public agencies responsible for the management of these lands already promote "use and enjoyment" of the lands. Private inholdings (unless they are commercial recreational) do not necessarily want to encourage increased public use of their lands.

Page 5; You discuss the numbers of members on your board, but you do not identify the number of staff you have or their specific skills i.e. Land Adjustment, Appraisers, Facilitators, Archaeologists, Grant Writing, Recreation Planners, etc. Your Program Responsibilities require that you retain qualified and competent employees that can work with all publics and governmental agencies. It would be helpful to identify your organization and expertise.

Page 6; I am primarily interested in working with rural communities, Fire Safe Councils and public resource agencies to help mitigate the impacts of catastrophic wildfire; both loss of life and property and resource values. I believe, given the criteria you use to prioritize projects for funding, that it would be very difficult for anyone trying to reduce hazardous fuels to qualify for a grant. This specifically applies to your Program Goal on page 8-- Reduce the Risk of Natural Disasters, such as Wildfire.

Page 7; I like the idea of wanting to help protect, conserve and restore resource values, but how will you do this on public lands. Management agencies will welcome **financial assistance** to help protect resource values, but unless partnerships are developed with the agencies, agencies will apply their own management practices on federal (public) lands. Many private land owners do not want their cultural resource sites "known", because it restricts what they can do on their property.

What is meant by "assistance through grants or direct provision of services..." Again, if you identify your staff organization it would be apparent that you have the capability to in-fact provide services.

Page 8; Do you have emergency/risk management personnel on your staff? If not, there is not much credibility in your services. If you have funding available for this need, the dollars would be welcome to most entities.

Page 9; What is the criteria for fuels reduction and related fire safe activities? I checked the website on page 15 and did not find "Specific Grant Guidelines" for this area. There are many aspects of a program of this nature and many unanswered questions. The State Fire Safe Council is a one-stop-shopping agency for federal and state funding.

They have a good system for distributing and managing grant dollars. Parts of their system may be useful to your organization efforts in prioritizing projects and distributing dollars.

What is meant by "...assist in land use planning efforts"? Is it by staff assistance advice and council or actual dollar funding?

Also, "development of community plans..." is this through advice and council or actual dollar funding. Land management agencies have their own established requirements and staffing that prepare community disaster plans. Facilitation expertise would be very helpful in the community/agency public meeting and info dispersal situations.

An integrated planning effort is a big task. It can include many agencies, entities and the public. It will require knowledgeable, strong and competent staff to accomplish this task.

Page 11; Do you have NEPA and CEQA Planning Staff positions in your organization? Will you provide funding and/or assist communities in finding qualified individuals to prepare documents. Land management agencies have their own requirements and are responsible for environmental document writing on lands they manage. How will this be accomplished?

Again, it is desirable to want multiple benefits in prioritizing projects, but this is seldom achievable. Hopefully, you will decrease emphasis on the need for achieving numerous benefits.

Page 12; Again, the California Fire Safe Council has done an excellent job in managing grants and you may want to coordinate with them for assistance and not have to re-create the wheel.

Page 13; I am happy to see grant dollars may be requested by agencies for public right-of-way. There is a real need for this, but funding is limited. Negotiating and facilitation skills along with funding would be real helpful in resolving some emergency evacuation problem areas.

Page 14; Hopefully, the plan is to identify each sub-regional manager so the public knows whom to contact. The exact boundaries of each "portion of counties" needs to be identified as well.

Page 15; It would be good to review the "Specific guidelines" for each grant program. In reviewing the web page there are no guidelines to review as stated.

Page 16; Last paragraph, as expected, all projects must comply with environmental compliance, but does your organization fund the environmental documents or staff to prepare the documents. Without this aspect of the job funded (writing, survey work, certifications, public notices) there is no way any fuels reduction project will get done. Communities, non-profits, agencies and even agencies do not have dollars to pay for these required documents. What is your organization's role in assisting with this requirement?

Page 17; See my previous comments regarding multiple program goals and prioritization, and projects consistent with all the agencies (your 3rd bullet statement).

Leveraging of funds – again see my comments on the State FSC process.

Implementability – what is the timeframe. Proponents need a timeframe in which to work from. Many things, like snow on the ground, survey work holding up environmental compliance, map work, coordinating agency workload, project layout, etc each take time. It may be unreasonable to expect a project to be completed in one year. So, with all the pre-work needed, an applicant needs to know the specific timeline available to complete a project.

/s/Patrick G. Pontes

Patrick G. Pontes

Grant Administer

Kern River Valley and Tehachapi Fire Safe Councils

patrickgpontes@yahoo.com

From: Valerie Zentner [valeriez@edcfb.com]

To: geninfo

RE: Comments on Program Guidelines

Sent: Fri 4/13/2007 12:22 PM

Dear Jim Branham and Bob Kingman,

Following are our brief comments on the Program and Grant Guidelines presented at the recent SNC workshops:

Easements. SNC should consider the use of lease-term easements in addition to conservation easements in perpetuity as an option for maintaining working landscapes while allowing future generations some flexibility as to how to manage the land. It is a cost-effective measure that provides protections to more acreage since lease terms are generally less expensive. Furthermore, it keeps the land on the tax rolls and in production, which supports the sustainability for both local operations and communities. The definition of "easement" should be expanded to allow the use of lease terms as a conservation tool.

Facilitate the use of existing programs. SNC should encourage, and facilitate, the use of existing programs (NRCS, RCD, and others) that are voluntary in nature and that accomplish conservation goals while maintaining working landscapes. Both the SNC's program and work plans encourage voluntary incentive-based programs, and there is simply no reason to re-invent the wheel where habitat conservation and farm protection programs already exist among other state and federal agencies.

Encourage managed grazing and timber harvest. The benefits of managed grazing and timber harvest toward achieving the goals of the SNC program plan cannot be overstated. Not only do well managed forests contribute to improved wildlife habitat values, the program goal of preventing catastrophic wildfires is supported. The loss of timber mills due to restricted harvest has a devastating impact on a region's communities (we have one remaining mill) so keeping the mill in operation meets the economic sustainability goals iterated in the plan. Encouraging livestock grazing on public lands is imperative in maintaining successful cattle operations in the Sierra foothills and also reduces fuel loads for fire safety. In evaluating projects for working landscapes, SNC criteria should not just allow but should encourage these operations since they support multiple program goals.

Grant proposal requirements are extensive. The competitive grant requirements look to be very extensive, and therefore very expensive, to submit. We are concerned that many small entities that would benefit from grant opportunities may not have the expertise and funding to comply with the requirements of the competitive grant proposals. Although the Strategic Opportunity Grants (SOG) might allow some flexibility in doing preliminary project studies and analysis and other preparatory work, the evaluation criteria in the grant guidelines is vague in this regard. Another program goal is to provide technical assistance to communities, and this would in our view be an ideal area where tools could be provided to help entities build the capacity to submit proposals and manage projects that are important to their local communities.

We appreciate your efforts in bringing the workshops to the various communities so that we have the opportunity to participate in the Conservancy program implementation. We would be pleased to answer any questions you may have regarding these comments.

Valerie Zentner
Executive Director
El Dorado County Farm Bureau
2460 Headington Road
Placerville, CA 95667
Phone: 530-622-7773
Fax: 530-622-7839
valeriez@edcfb.com

From: Jim Wilcox [jim@plumascounty.org]
To: geninfo
RE: Comments on SNC Grant Guidelines
Sent: Wed 4/11/2007 9:42 AM

Dear Reader,

I have previously commented at the Quincy workshop. However, I have an additional comment. Groups working in the Sierra have a short field season in which to gather data and implement projects (late June- early November), with crunch time in early fall. Scheduling the grant solicitation period for the winter months (Dec.- Feb.) would optimize regional resources by not impacting crucial field work in order to prepare the grant application. Thanks for the opportunity to participate in the process.

Jim Wilcox
Program Manager
Feather River Coordinated Resource Management

From: Ed Royce [ebroyce@psln.com]
To: geninfo
RE: Comments, Program and Grant Guidelines
Sent: Mon 4/9/2007 12:28 PM

Attached are comments on your draft Program Guidelines and draft Grant Guidelines. Also attached is a sample License to Enter that is used in Kern County hazardous fuel reduction projects in lieu of tenure.

Ed Royce, President
Kern River Valley Fire Safe Council.

9 April, 2007

**COMMENTS
SIERRA NEVADA CONSERVANCY
PROGRAM AND GRANTS GUIDELINES WORKSHOPS**

Introduction

I am pleased to offer the following comments on the Conservancy's draft Program Guidelines and draft Grants Guidelines, as presented online and at the workshop in Lake Isabella on 13 March 2007.

My perspective in presenting these comments is as President of the Kern River Valley Fire Safe Council, one of the first established in California, and as a resident of the very

rural Sierra Nevada mountain community of Kennedy Meadows in southeastern Tulare County.

Fire safe council programs throughout the state have made important progress (1) in public education on the risks of wildland fire and measures that homeowners can take to protect their individual property, (2) in the protection of whole communities from wildfire through fuel reduction projects, and (3) in the preparation of Community Wildfire Protection Plans (CWPP's) that lay out the full spectrum of activities needed to deal with fire safety in the wildland urban interface (WUI).

Much of this effort has been funded by grants from the National Fire Plan administered through the State Fire Safe Council. In the last few years, fire safe councils have proliferated throughout the state, to the benefit of fire safety. However, funding through the traditional sources has not grown proportionately, resulting in highly worthwhile projects in fuel reduction not being funded.

The Conservancy's proposals to fund activities such as the fuel reductions carried out by the fire safe councils is extremely welcome, and I would hope that there would be substantial funding in this area. However, as I will discuss under item 5 below, your draft Grant Guidelines will probably require some modification if the Conservancy is to support such projects.

My comments follow the items in your workbook.

1. Program Guidelines, Range of Projects

The inclusion of the separate program area dealing with the reduction of natural disasters, such as wildfire, (pages 8-9) is welcome. The list of activities in this area appears reasonable. The planning, fuel reduction, WUI modifications, and educational efforts are all part of the programs of fire safe councils throughout the Sierra Nevada.

However, your discussion places this effort in the context of protection of land and water. I suggest that public health and safety do not receive adequate emphasis in the guidelines. In the more rural areas of the Sierra Nevada, emergency services, as well as the protection of lives and property from natural and man-made disasters, are often not well developed. Both people and the land deserve the Conservancy's attention.

"Natural" disasters such as wildfire (whether natural or human caused) can affect all of the conservancy's program areas. Tourism and recreation, conservation and restoration of resources, working landscapes, water and air quality, economic activity, and the enjoyment of public lands all can be damaged by uncontrolled wildfire. All climate change models predict earlier snow melt in the Sierra Nevada in the future, and hence

an extended fire season. Wildfire prevention in the Sierra Nevada is a core objective that requires attention before other objectives can be achieved on a sustained basis.

The program areas dealing with the protection, conservation, and restoration of resources and with water quality require specific attention to wildfire prevention. Watershed health is mentioned, (page 7) but without any examples of how this is to be attained. One important example that should be included is the protection of watersheds from uncontrolled wildfire. This could include fuel reduction activities of many types, both in the WUI and beyond. The protection of water quality (page 9) also requires the protection of watersheds from uncontrolled fire. For example, the Kern River ran black after the McNally wildfire, because of the erosion of burned material.

Performance measures, as discussed at the bottom of page 11 are important. However the emphasis appears to be on observable positive accomplishments. In the health and safety areas, in many cases the most important accomplishment is prevention, such as the absence or early control of a catastrophic wildfire. Criteria that are developed in this area need to take this into account.

2. Program Guidelines, Tools, Methods, and Resources

One resource that will facilitate program implementation is the presence of field offices, where people can discuss prospective projects with Conservancy staff. In this regard, the inclusion of only a Mariposa office to serve the southern Sierra Nevada is ludicrous. Mariposa is closer to the Conservancy headquarters in Auburn than it is to a substantial part of the Southern Subregion. Either this office should be moved further south or an additional office should be established in Tulare or Kern County.

3. Program Guidelines, Project Evaluation

The question of regional and subregional priorities is left unaddressed. Attention needs to be paid to how these priorities are to be established, with the same kind of public involvement as the Conservancy is employing in refining its draft guidelines.

Community Wildfire Protection Plans (CWPP's) are omitted from the planning documents listed in the first paragraph under "D" on page 16, and in the third bullet on page 17. They should be included. These plans address the full spectrum of activities that communities need to undertake to make themselves safer from catastrophic wildfire. Projects such as fuel reduction should be identified specifically in CWPP's, and other activities should clearly not interfere with wildfire safety or create additional wildfire risk.

4. Grant Guidelines, Eligible Projects

It would appear that the eight bullets at the bottom of page 2 in most cases apply to each of the four objectives listed, not just the fourth objective, under which they are listed. Either this should be made clear in the document, or project lists should be supplied for each objective.

As noted in my comments under item 1, above, fire safety, including fuel hazard reduction, needs to be a part of achieving all of the objectives listed.

Your definition of "protection" on page 17 is overly restrictive. It appears to reflect only the perspective of "protecting" a resource by acquisition -- "only capital [sic] outlay costs are eligible." Fuel hazard reduction projects are most certainly protection projects in that they protect land, people, and their property from wildfire. Yet such projects are not "acquisition, restoration, preservation, interpretation," and involve no capital outlay -- only the labor to cut brush and limb trees. The inclusion of fuel hazard reduction under "restoration" appears misplaced, since in many cases in the WUI nothing has been degraded that requires restoring. The definition of protection should be broadened to that in common usage and should include the protection of people and their property, not just natural resources.

5. Grant Guidelines, Issuance of Grants

The discussion of land tenure on page 6 would appear to preclude Competitive Grants for hazardous fuel reduction projects as they are currently conducted. The guidelines require site control to "manage, direct, superintend, restrict, regulate, govern, administer, or oversee a plot of ground suitable or set apart for the planned project use." None of this is required for a fuel reduction project. Instead, a one-time no-cost "license to enter" is secured from each affected landowner. An sample license to enter used in Kern County is attached to these comments. While this license gives access to the County to conduct the fuel reduction work, the owner's rights and activities are in no way diminished or restricted, as they would be if the County held some form of tenure or site control.

While fuel reduction projects may be only 40 feet or so wide, they may be ten or more miles long. In the WUI where they are usually sited, this can easily involve several dozen landowners. Acquiring "tenure" to these properties would be prohibitively expensive in both effort and dollars, as well as unnecessary. The present practice is that the effort of securing licenses to enter is funded by the grant once it is awarded.

There would appear to be two possible solutions to this problem, assuming the Conservancy intends to fund hazardous fuel reduction projects: (1) Add to the discussion on page 6 to indicate that tenure is not required where only one-time or

infrequent access to the land is necessary to carry out the project, (e.g. once every ten years or so) such as but not limited to fuel reduction projects. (2) Include fuel reduction and other projects that require only one-time access to land explicitly as projects that may be funded through Strategic Opportunity Grants, rather than Competitive Grants, since the discussion on page 11 indicates that tenure is not required for these grants.

The evaluation criteria on pages 6-10 appear to be generally reasonable and appropriate. However, the discussion of land tenure at the bottom of page 8 and top of page 9 appears incomplete. Additionally, it needs to reflect the discussion presented above.

Near the middle of page 9, the second open bullet should refer to "acquisition or site improvement" rather than just "acquisition." In the fifth open bullet, add "if applicable," since not all projects involve construction.

6. Grant Guidelines, Distribution

I have no basis to judge the reasonableness of the proposed distribution of grant funds, except to note that any conclusions may depend on whether fuel reduction projects are to be funded as Competitive Grants or Strategic Opportunity Grants, as discussed above.

LICENSE TO ENTER

_____ (hereinafter Property Owner) grant(s) to the Kern County Fire Department and its authorized agents license to enter onto the land known as Assessors Parcel Number _____ in Kern County, California. To encourage the Kern County Fire Department to engage in fire prevention activity, this license is granted in order to allow the Kern County Fire Department to construct and maintain a fuel break around the _____ (hereinafter Afuel break).

This License to Enter shall be effective as of the date written below and shall continue until terminated by written notice by the Property Owner to the Kern County Fire Department.

All costs and expenses of constructing and maintaining the fuel break shall be borne solely by the Kern County Fire Department.

Property Owner understands and acknowledges that the Kern County Fire Department has no legal obligation to construct or maintain the fuel break and further understands and acknowledges that the Kern County Fire Department may elect, without notice to Property Owner, to discontinue maintenance of the fuel break. The Kern County Fire Department neither represents nor warrants that construction or maintenance of the fuel break will provide protection against fire hazard or prevent fire damage to Property Owners property or persons occupying said property. Property Owner acknowledges that this License to Enter does not in any way affect the Property Owners responsibility to maintain his or her property in such a manner as to minimize fire hazard.

Property Owner hereby releases the County of Kern, its officers, agents and employees from liability for any and all losses, claims, damages, costs or other liability for damage to Property Owner, his heirs, assigns and legal representatives, whether for personal injury or property damage, which arises out of or in connection with the construction and maintenance (or omission to construct or maintain) a fuel break on or near the property of Property Owner.

The undersigned has read this License to enter and fully understands its contents.

Date: _____

Property Owner

PJR:bf/#5199

97.2415

s:\fire\forms\licensetoenter.wp8/7_99

COMMENTS RECEIVED AFTER APRIL 16, 2007

From: Paul Hardy [phardy@frlt.org]
To: geninfo
RE: Prop 84 DRAFT Grant Guidelines: Comments
Sent: Tue 4/17/2007 12:05 AM

Dear Sierra Nevada Conservancy,

Thank you for the opportunity to review the Draft Prop 84 Grants Guidelines, dated February 21, 2007. Generally, I think you did a great job on the Draft Guidelines! I have three comments below:

First, on page 4, the Overview of Acquisition Projects describes that the SNC may make grants to various organizations to acquire an interest in real property from willing sellers, including a fee interest. Again on page 5, there is additional mention of the fact that Acquisition grants are to be made to acquire an interest in real property.

I could not find any language in the Draft Guidelines which explicitly states that Acquisition grant funds may be used to pay off bridge loans, Program Related Investments (PRIs), or other interim financing. Given the often fast-paced nature of private land conservation and real estate, and the increasing popularity and effectiveness of using interim financing, I strongly believe that SNC acquisition funds should be made available for such purposes.

The availability of SNC funds to pay off short-term, interim financing (such as Packard Foundation PRIs) would be invaluable in cases where SNC funds have not yet been appropriated or are otherwise unavailable and an organization needs to act quickly to protect property (such as property threatened by imminent development). Sometimes land trusts and other organizations must act quickly in order to acquire property and must take action to secure land before public funding is available.

Re: bridge loan/interim financing, I would suggest adding language to the Acquisition Projects section on page 4 and 5 to the effect of, "The SNC will also consider projects, which, for a variety of reasons, had to be acquired in advance of the availability of SNC funding, provided that such projects meet all of the eligibility requirements." It seems to me that the SNC is attempting to encourage creativity and effectiveness in accomplishing its mission by offering loans and other creative tools and services to grantees; providing funds to act as "take out" for bridge loans would be another opportunity to do so.

Additional comments are that it would be nice (and I feel appropriate) to be able to include a nominal, say, up to 5%, of overhead costs in grant proposals (see Eligible Costs on page 3).

Finally, I think that the guidelines need to be more explicit in explaining what is expected and entailed by the requirement of having to "cooperate and consult with the city or county where...an interest in real property is to be acquired".

Thanks again for the opportunity to comment and for all your time and efforts. Good luck with your process!

Best Wishes,

Paul Hardy

Paul Hardy, Executive Director

Feather River Land Trust

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